IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE THIRTEENTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

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WRIT PETITION NO : 15034 of 2005

Between:

Ch. Venkata Reddy S/o Narapu Reddy
R/o Venkatapuram Village, K.S. Palli Post, Giddalur Mandal, Prakasam District

..... PETITIONER

AND

1 The District Collector, Prakasam District, Ongole
2 The Mandal Parishat Development Officer, Mandal Parishat Office, Giddalur, Prakasam District

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order or direction more particularly one in the nature of Writ of Mandmaus declaring the action of the respondents not releasing the payments for food for work Programme Phase-I Sep, 2001 Giddalur Mandal towards completion of road Venkatapuram to Yerragunta supply of gravells to the petitioner as being illegal, arbitrary, consequently direct the respondents to release the rice or amount to the completed works with interest from the date of completion of work.

Counsel for the Petitioner: MR.S.A.K.MYNUDDIN

Counsel for the Respondents: GP FOR REVENUE

This Court at the admission stage made the following:

O R D E R:

The petitioner seeks a Mandamus declaring the action of the respondents in not releasing the payment for Food for work Programme Phase-I September, 2001 Giddalur Mandal towards completion of road work from Venkatapuram to Yerragunta as illegal, arbitrary and consequently to direct the respondents to release the rice or amount for the completed work with interest from the date of completion of work.

The case of the petitioner is that the first respondent issued sanction orders for allotment of work on 05-10-2001 and based on the same, second respondent by proceedings, dated 15-11-2001, issued allotment orders under 100% food for work programme to provide the gravel for the road work from Venkatapuram to Yeeraguntla at an estimated cost of Rs.2,00,000/- and instructed the petitioner to complete the work within fifteen days by engaging the labours. Accordingly, after completion of work, he requested the first respondent to release the payment, but no action has been taken. Therefore, the petitioner made a representation, dated 28-06-2004, to

the first respondent for release of rice or money. The first respondent, after receipt of said representation, instructed the second respondent to conduct enquiry and submit a report and the second respondent submitted his report on 30-06-2004. But, no further steps have been taken so far. However, in the meanwhile, the petitioner was compelled to borrow amount from the private parties and also sold his land admeasuring Ac.4-01 cents and paid the amount to the labours. Hence, the petitioner prays this Court to direct the respondents to release rice or cash with interest from the date of completion of work i.e., from 30-11-2001 till the date of realization.

Having heard the learned counsel for the petitioner, the learned Government Pleader and perused the material on record and in view of the facts and circumstances of the case, especially in view of the fact that the second respondent estimated the cost of the work vide proceedings, dated 15-11-2001, and submitted a report, dated 30-06-2004, to the first respondent in this regard, I deem it appropriate to direct the first respondent to release the cost of the work as estimated.

The writ petition is accordingly disposed of directing the first respondent to release the cost of work as estimated in the proceedings, dated 15-11-2001, issued by the second respondent keeping in view the report, dated 30-06-2004, submitted by the second respondent within a period of eight weeks from the date of receipt of a copy of this order. No costs.

(ELIPE DHARMA RAO, J)

Date:13-07-2005

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To

1 The District Collector, Prakasam District, Ongole
2 The Mandal Parishat Development Officer, Mandal Parishat Office, Giddalur, Prakasam District

3 Two CCs to the Government Pleader for Revenue, High Court of A.P., Hyderabad. (O.U.T.)

4 Two CD copies.

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